IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6517 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.6068/2007 Dated 08/10/2007
CRIME NO.130/07 OF KOTTAKKAL POLICE STATION

.....

PETITIONER/8TH ACCUSED

P.S.THAMPI, AGED 34 YEARS,
S/O. SRIDHARAN, PUTHUVAL STHALATH, KUNDANNUR,
MARADU P.O., ERNAKULAM DISTRICT.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, KOTTAKKAL POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 6517 of 2007

Dated this the 31st day of October, 2007

ORDER

Application for regular bail. The petitioner along with the co-accused faces allegations, inter alia, under Sec.395 of the IPC. This is the third application. I have adverted to the facts in detail in the orders dated 18/9/07 in B.A. No.5561/07 and 8/10/07 in B.A. No. 6068/07. I am hence not adverting to the facts in any greater detail in this order. This order must be read in continuation of the said orders. The petitioner remains in custody from 27/8/07.

2. The learned Public Prosecutor submits that the investigation is already complete. Final report has already been filed. The learned Public Prosecutor points out that the petitioner has criminal antecedents also.

3. The learned Public Prosecutor opposes the application. The learned Public Prosecutor submits that if this Court were

inclined to grant bail in view of the filing of the final report, appropriate and strict conditions may be imposed to ensure that the petitioner does not indulge in similar crimes abusing the liberty granted to him.

4. Having considered all the relevant inputs, I am satisfied that the petitioner can be granted bail subject to appropriate and very strict conditions which shall allay the apprehension aired by the learned Public Prosecutor.

5. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate. In the peculiar nature and circumstances of this case, the learned Magistrate must scrupulously ensure that the sureties are sufficient, solvent and adequate.

(ii) The petitioner shall report before the Investigating Officer on all Sundays between 5 p.m. and 6 p.m. until the case against him is disposed of.

(iii) The petitioner shall not leave the State of Kerala without the prior permission of the court before which the case against him is pending. He shall from time to time keep the Investigating Officer informed of the place of his residence and change of such residence, if any.

(R. BASANT, JUDGE)

Nan/